REMARKS/ARGUMENTS

I. General Remarks and Disposition of the Claims.

Please consider the application in view of the following remarks. Applicant thanks the Examiner for his careful consideration of this application.

At the time of the Office Action, claims 24-57 were pending. Claims 24-31, 33-48, and 50-57 are rejected. Claims 32 and 49 are objected to. Claims 24-26, 30, 32, 34, 36, 37, 39, 41-43, 47, 49, 51, 53, 54, and 56 have been amended herein. Claims 81 and 82 are new. Applicant respectfully requests that the above amendments be entered, and further requests reconsideration in light of the amendments and remarks contained herein. Antecedent basis for these amendments can be found throughout the specification, *e.g.* ¶[0020]-¶[0021].

II. Remarks Regarding Information Disclosure Statement

Because the Examiner has requested that Applicant in some way narrow the number of references cited in the information disclosure statements, Applicant submits herein a listing of references in the table below. However, it is Applicant's position that all references included in the originally filed information disclosure statements may be relevant. The following references are directed to subterranean applications and may be more relevant than other references cited, although Applicant makes no representation that those references submitted in the information disclosure statements but not listed in the table below are not relevant to patentability.

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3,819,525	6/25/1974	Hattenbrun	252	132	8/21/1972
3,912,692	10/14/1975	Casey et al	260	78.3	
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III. Remarks Regarding Rejections Under 35 U.S.C. § 102.

Claims 24-28, 30, 31, 34, 36-45, 47, 48, 51, and 53-57 stand rejected under § 102(b) as being anticipated by U.S. Patent No. 5,368,102 issued to Dewprashad *et al.* (hereinafter "*Dewprashad*"). Applicant respectfully disagrees because *Dewprashad* does not disclose every element of claims 24-28, 30, 31, 34, 36-45, 47, 48, 51, and 53-57 as required to anticipate these claims under 35 U.S.C. § 102(b). *See* MPEP § 2131.

In particular, *Dewprashad* fails to disclose a "hydrolytically degradable material," as recited in amended independent claims 24 and 41. Rather than disclosing a material that degrades via hydrolytic degradation, *Dewprashad* is directed to a hardening agent that dissolves when exposed to the elevated temperatures of a subterranean formation. (*Dewprashad*, 9:1-7) *Dewprashad* teaches a material that *dissolves* rather than one that *hydrolytically degrades*. Applicant respectfully submits that hydrolytic degradation, or hydrolysis, differs from dissolution. Specifically, in hydrolytic degradation, a chemical reaction or process takes place in which a molecule is split into two parts by *reacting* with a molecule of *water*. However, when a solute dissolves in a solvent, the solute ions simply disperse in the solvent (which is *not* necessarily water) and *no reaction* takes place. WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY 657, 1109 (1981); RANDOM HOUSE COMPACT UNABRIDGED DICTIONARY 570, 938 (2d ed. 1996). For example, as is well known in the art, adding weak base ammonia to water would be a hydrolysis reaction because ammonia would react with water to form an ammonium ion and a hydroxide ion. However, adding sodium chloride to water would be classified as dissolving because a solution of sodium ions and chloride ions would result and no reaction would have taken place in the process.

Therefore, Applicant respectfully asserts that independent claims 24 and 41 are not anticipated by *Dewprashad*. Accordingly, independent claims 24 and 41, and the claims that depend therefrom, claims 25-28, 30, 31, 34, 36-40, 42-45, 47, 48, 51, and 53-57, should be allowed.

IV. Remarks Regarding Rejections Under 35 U.S.C. § 103.

A. Dewprashad.

Claims 24, 29, 35, 41, 46, and 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dewprashad*. Applicant respectfully disagrees because the Examiner has not established a *prima facie* case of obviousness as to the claims, in that the cited references do not teach or suggest all the claim limitations. *See* MPEP § 2142.

In particular, as to independent claims 24 and 41, *Dewprashad* does not teach or suggest the recited limitation of a "hydrolytically degradable material." Rather than disclosing a material that hydrolytically degrades, *Dewprashad* is directed to a material that dissolves in a subterranean formation. As discussed previously in Section III, hydrolytic degradation is

different from dissolution. Accordingly, *Dewprashad* does not teach or suggest a hydrolytically degradable material.

For at least the foregoing reasons, independent claims 24 and 41 are not obviated by *Dewprashad*. Accordingly, Applicant respectfully requests withdrawal of this rejection with respect to independent claims 24 and 41, and correspondingly, as to dependent claims 29, 35, 46, and 52.

B. Dewprashad in view of Murphey.

Claims 24, 33, 41, and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Dewprashad* in view of U.S. Patent No. 5,128,390 issued to Murphey *et al.* (hereinafter "*Murphey*"). Applicant respectfully disagrees because the Examiner has not established a *prima facie* case of obviousness as to the claims, in that the cited references do not teach or suggest all the claim limitations. *See* MPEP § 2142.

In particular, as to independent claims 24 and 41, *Dewprashad* does not teach or suggest the recited limitation of a "hydrolytically degradable material." Rather than disclosing a material that hydrolytically degrades, *Dewprashad* is directed to a material that dissolves in a subterranean formation. As discussed previously in Section III, hydrolytic degradation is different from dissolution. Accordingly, *Dewprashad* does not teach or suggest a hydrolytically degradable material.

Additionally, *Murphey* also fails to supply this missing recitation. Consequently, neither *Dewprashad* nor *Murphey* teach or suggest each and every limitation of independent claims 24 and 41. Accordingly, Applicant respectfully requests withdrawal of this rejection with respect to independent claims 24 and 41, and correspondingly, as to dependent claims 33 and 50.

V. Allowable Subject Matter.

The Examiner has objected to claims 32 and 49 as being dependent upon a rejected base claim, but indicated that such claims would be allowable if rewritten in independent form. (Office Action at 4.) The Applicant gratefully acknowledges the Examiner's indication of the allowability of these claims.

In light of the above remarks with respect to independent claims 24 and 41, such independent claims are patentable in view of the cited references. Claims 32 and 49 depend either directly or indirectly on their corresponding independent claims. These dependent claims, which include all the limitations of their corresponding independent claims, are allowable for at

least the reasons cited above with respect to independent claims 24 and 41. Accordingly, the Applicants respectfully request withdrawal of this objection with respect to claims 32 and 49.

VI. No Waiver.

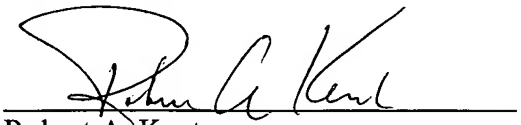
All of Applicant's arguments and amendments are without prejudice or disclaimer. Additionally, Applicant has merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicant reserves the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art. The example distinctions discussed by Applicant are sufficient to overcome the anticipation and obviousness rejections.

SUMMARY

In light of the above remarks, Applicant respectfully submits that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicant believes that there are no fees due in association with the filing of this Response. However, should the Commissioner deem that any fees are due, including any fees for extensions of time, the Commissioner is authorized to debit Halliburton Energy Services, Inc., No. 08-0300 for any underpayment of fees that may be due in association with this filing.

Respectfully submitted,



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